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| 09/896,110      | 07/02/2001  | Nenad Rijavec        | BLD9010021          | 5070             |

30743 7590 07/23/2004

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EXAMINER

COUSO, JOSE L

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2621

DATE MAILED: 07/23/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/896,110

**Applicant(s)**

RIJAVEC ET AL.

**Examiner**

Jose L. Couso

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wise (U.S. Patent No. 5,805,914).

With regard to claim 1, Wise describes testing for coefficient values requiring more than eight bits to be uniquely coded and using a flag in at least one block of data to indicate if all the coefficient values in the block are coded in eight bits or fewer or if any requires more than eight bits to be uniquely coded (refer for example to column 40, lines 1-51 and column 223, line 66 through column 224, line 3).

With regard to claim 2, Wise describes wherein the coefficient values are DCT coefficients (refer for example to column 216, line 25 through column 217, line 40).

As to claim 3, Wise describes wherein the coefficient values are AC DCT coefficients (refer for example to column 216, line 25 through column 217, line 40).

With regard to claim 4, Wise describes wherein the testing step is performed once per image (as discussed in column 40, lines 1-51).

As to claim 5, Wise describes wherein the testing step is performed once per block (as discussed in column 223, lines 46-55).

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In regard to claim 6, Wise describes including the further set of using another flag in a block of data to indicate if any ZRLs are present (refer for example to column 223, lines 56-65).

3. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Luyster (U.S. Patent No. 6,182,216).

With regard to claim 7, Luyster describes a first pair of bytes representing a block number, a Klast value and at least one flag indicating if all the coefficients values in the block are coded in eight bits or fewer of if any requires more than eight bits to be uniquely coded and a second pair of bytes respectively representing an R/S value coefficient value (refer to column 22, line 6 through column 24, line 26).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luyster (U.S. Patent No. 6,182,216) in view of Wise (U.S. Patent No. 5,805,914).

Luyster discloses a block cipher method which does not expressly disclose at least one additional pair of bytes including a EOB byte and a padding

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cycle and wherein the first pair of bytes further includes another flag indicating if any runs of consecutive zero-valued coefficients greater than sixteen are present in the block.

Wise discloses a data pipeline system and data encoding method which describes at least one additional pair of bytes including a EOB byte and a padding cycle and wherein the first pair of bytes further includes another flag indicating if any runs of consecutive zero-valued coefficients greater than sixteen are present in the block (refer for example to column 223, line 39 through column 224, line8).

Luyster and Wise are combinable because they are both from the area of encoding data signals.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide for using at least one additional pair of bytes including a EOB byte and a padding cycle and wherein the first pair of bytes further includes another flag indicating if any runs of consecutive zero-valued coefficients greater than sixteen are present in the block in block coding.

The suggestion/motivation for doing so would have been that of providing for increased data transmission rate by efficiently coding the data as suggested by Wise (refer for example to column 9, lines 21-49), which fails to patentably distinguish over the prior art absent some novel and unexpected result.

Therefore, it would have been obvious to combine Wise's teaching with Luyster to obtain the invention as specified in claims 8 and 9.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Luyster ('162), ('150) and ('319) all disclose systems similar to applicant's claimed invention.

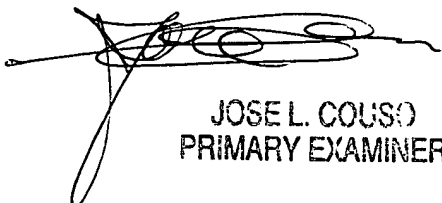
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jlc  
July 12, 2004



JOSE L. COUSO  
PRIMARY EXAMINER